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Government of Kerala
1983

Reg. No. KL/TV(N)/12

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXVIII] Trivandrum, Monday, 21st February 1983 / 2nd Phalguna 1904 [No. 167

GOVERNMENT OF KERALA

Law (Legislation-B) Department

NOTIFICATION

No. 2805/Leg. B2/83/Law. *Dated, Trivandrum, 21st February* 1983/ *2nd Phalguna*, 1904.

The following Ordinance promulgated by the Governor on the 21st day of February, 1983, is hereby published for general information.

By order of the Governor,

K. VISWANATHAN NAIR,
Special Secretary (Law).

ORDINANCE No. 6 OF 1983

THE ELECTRICITY (SUPPLY) KERALA AMENDMENT ORDINANCE, 1983

Promulgated by the Governor of Kerala in the Thirty-fourth Year of the Republic of India.

AN

ORDINANCE

to amend the Electricity (Supply) Act, 1948, in its application to the State of Kerala.

Preamble.—WHEREAS the Legislative Assembly of the State of Kerala is not in session and the Governor of Kerala is satisfied that circumstances exist which render it necessary for him to take immediate action;

AND WHEREAS instructions from the President have been obtained in pursuanec of the proviso to clause (1) of article 213 of the Constitution of India;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 213 of the Constitution of India, the Governor of Kerala is pleased to promulgate the following Ordinance:—

1. *Short title, extent and commencement.*—(1) This Ordinance may be called the Electricity (Supply) Kerala Amendment Ordinance, 1983.

(2) It extends to the whole of the State of Kerala.

(3) It shall come into force at once

2. *Central Act* 54 *of* 1948 *to be temporarily amended.*—During the period of operation of this Ordinance, the Electricity (Supply) Act, 1948 (Central Act 54 of 1948) hereinafter referred to as the principal Act, shall, in its application to the State of Kerala, have effect subject to the amendment specified in section 3.

3. *Amendment of section* 49.—In section 49 of the principal Act, after sub-section (4), the following sub-section shall be inserted, namely:—

"(5) The party to an agreement or any other arrangement entered into prior to the commencement of the Electricity (Supply) Kerala Amendment Ordinance, 1983 and providing for supply of

electricity by the Board shall, notwithstanding anything contained in the instrument of such agreement or other arrangement or in any law including this Act in force at such commencement, pay, in respect of electricity so supplied after such commencement, such price (by whatever name called) calculated in accordance with the uniform tariff framed or modified from time to time under sub-section (1) and applicable to the category to which such party belongs.".

P. RAMACHANDRAN,

GOVERNOR.

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TRIVANDRUM, 1983.

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Vol. XXVIII] Trivandrum, Monday, 21st February 1983 / 2nd Phalguna 1904 [No. 172

GOVERNMENT OF KERALA

Taxes (D) Department

NOTIFICATION

G.O.P. No. 11/83/TD *Dated, Trivandrum, 14th February, 1983.*

S.R.O. No. 209/83.—In exercise of the powers conferred by sub-section (1) of section 2 of the Kerala Public Service Act, 1968 (19 of 1968), the Government of Kerala hereby make the following amendments to the Special Rules for the Kerala Registration Subordinate Service, published under the Notification No. G.O.(P) 139/73/TD dated the 3rd November, 1973 as S.R.O No. 670/73 in the Kerala Gazette Extraordinary No. 1124 dated the 3rd November, 1973 as subsequently amended, namely:—

AMENDMENTS

In the said rule,...........

(i) in rule 1, after "category-3 Reserve Sub Registrar" the following category shall be inserted, namely:—

"Category 4 Binding Supervisors",

(ii) in sub-rule (a) of rule 2, after item "(3) Reserve Sub Registrar" under the heading "Category" and the entries against it under

the heading "Method of appointment", the following item and entry shall respectively be substituted, namely:—

"(4) Binding Supervisors	(1) Recruitment by transfer from among U.D. Binders in the Department.
	(2) In the absence of qualified persons under item (1) above by direct recruitment".

(iii) in the TABLE under sub-rule (b) of rule 4, after the item "Reserve Sub Registrar" under the heading 'Post' and the entries against it, the following item and entries against it shall respectively be substituted, namely:—

"Binding Supervisor.	Transfer	A pass in S.S.L.C Examination or its equivalent qualification.
	Direct recruitment (1)	A pass in S.S.L.C. Examination or its equivalent qualification.
	(2)	Must have a pass in M.G.T.E. or K.G.T.E. in Book Binding (Higher). In the absence of candidates possessing M.G.T.E. or K.G.T.E. in Book Binding (Higher) persons possessing M.G.T.E. or K.G.T.E. in Book Binding (Lower) shall be considered for selection.

(iv) for the existing rule 5 the following shall be substituted.

5. *Reservation of appointment.*—The rules of reservation of appointment (General Rules 14-17) specified in Part II of K.S. & S.S. Rules, 1958 shall apply to appointment by direct recruitment to the category of Reserve Sub Registrars and Binding Supervisors.

(v) for the existing rule 6, the following shall be substituted.

6. *Probation.*—Every person appointed as Reserve Sub Registrar or by transfer as Sub Registrar II Grade or as Binding Supervisor shall from the date on which he joins duty be on probation for a total period of two years on duty within a continuous period of three years.

(vi) for the existing rule 7 'Tests' the following shall be substituted, namely:—

7. *Tests.*—A person appointed to the service by direct recruitment except Binding Supervisors shall within the prescribed period of probation pass the Test on Manual of Office Procedure, the Account Test (Lower) and the Registration Test.

By order of the Governor,

PALAT MOHANDAS,
Secretary to Government.

Explanatory Note

(This note is not part of rule and is intended to indicate the general purport).

At present there are no Special Rules for the category of Binding Supervisors in the Registration Department. The Binding Supervisors are now being appointed from among U.D. Clerks. The duties of the Binding Supervisor is overall supervision of matters relating to Binding work. Hence, Government are of the view that a person having technical qualification in binding will alone be suitable for the post of Binding Supervisor. It is, therefore, proposed to fill up the posts Binding Supervisors, by promotion from among qualified U.D. Binders in the Department or in the absence of qualified hands for promotion, the direct recruitment.

This Notification is intended to achieve the above object.

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SECRETARIAT OF THE KERALA LEGISLATURE

NOTIFICATION

No. 2306|LA 4A|83. *Dated, Trivandrum, 21st February,* 1983.

The Nurses and Midwives (Amendment) Bill, 1983 together with the Statement of Objects and Reasons, the Financial Memorandum and the Memorandum regarding Delegated legislation is published, under Rule 69 of the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly.

DR. R. PRASANNAN,

Secretary,

Legislative Assembly.

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33/603/MC.

Seventh Kerala Legislative Assembly

Bill No. 11

THE NURSES AND MIDWIVES (AMENDMENT) BILL, 1983

A

BILL

further to amend the Nurses and Midwives Act, 1953.

Preamble.—WHEREAS it is expedient further to amend the Nurses and Midwives Act, 1953, for the purposes hereinafter appearing;

BE it enacted in the Thirty-fourth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Nurses and Midwives (Amendment) Act, 1983.

(2) It shall come into force on such date as the Government may, by notification in the Gazette, appoint.

2. *Insertion of new section* 24A.—After section 24 of the Nurses and Midwives Act, 1953 (X of 1953), the following section shall be inserted, namely:—

"24A. *Renewal fees.*—(1) For the retention of a name in a register after the expiry of five years from the date on which the name is first registered under this Act, there shall be paid for each five years to the Council a renewal fee of rupees ten in respect of each register.

(2) The renewal fee payable under sub-section (1) shall be paid in such manner as may be prescribed, before the 1st day of April following the expiry of the period of five years referred to in that sub-section:

Provided that in the case of any person who on or before the commencement of the Nurses and Midwives (Amendment) Act, 1983, has completed five years after he has been registered under this Act, such fee shall be paid within a period of three months from such commencement or within such further period as may be specified by the Government by notification in the Gazette.

(3) Where a renewal fee is not paid before the due date, the Registrar shall remove the name of the dafaulter from the register:

Provided that the name so removed may be restored to the register on payment, in such manner as may be prescribed, of the renewal fee together with such fine as may be prescribed.

(4) On payment of the renewal fee and the fine, if any, the Registrar shall give a receipt in the prescribed form and such receipt shall be sufficient proof of the renewal of registration of the person concerned.".

STATEMENT OF OBJECTS AND REASONS

The Nurses and Midwives Act, 1953, does not provide for the renewal of registration of nurses, midwives, auxilary nurse-midwives health visitors and public health nurses who are registered or deemed to be registered under the Act. In the absence of a provision for renewal of registration, the name of a person once entered in the register continues to find a place in the register with the original registered address even though that person might have changed his address or might even have passed away. So the register may be defective and cannot be relied upon even for statistical purposes and thus it may not serve the purpose for which it is intended. The Indian Nursing Council and the Kerala Nurses and Midwives Council have recommended that suitable provisions might be made in the Act for the renewal of registration of nurses, midwives, etc.

2. The Bill seeks to amend the Nurses and Midwives Act, 1953, for the above purpose.

FINANCIAL MEMORANDUM

The Bill, if enacted and brought into operation, would not involve any expenditure from the Consolidated Fund of the State.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Sub-clause (2) of clause 1 of the Bill seeks to empower the Government to appoint, by notification in the Gazette, the date on which the Act shall come into force.

Sub-section (2) of section 24A, proposed to be inserted by clause 2 of the Bill, empowers the Government to prescribe the manner in which renewal fee shall be payable. The proviso to that sub-section

empowers the Government to specify the further period beyond the period of three months referred to in the proviso, within which certain persons shall pay the fee for renewal of registration. The proviso to sub-section (3) of the said section empowers the Government to prescribe the manner in which renewal fee is to be paid in the case of persons whose names have been removed from the register, and the fine to be paid along with the renewal fee, for restoration of their names in the register. Sub-section (4) of the said section empowers the Government to prescribe the form of the receipt to be given by the Registrar on payment of the renewal fee and fine, if any.

The above are matters of procedure or detail or of administrative nature. The delegation of legislative power is, thus, of a normal character.

K. G. R. KARTHA.

Government of Kerala
1983

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BOARD OF REVENUE

NOTIFICATION

LRA5-40028/82. *Dated, Trivandrum, 7th February 1983.*

In exercise of the powers conferred by Rule 2 of the Rules for the Establishment and Administration of the Kerala Famine Relief Fund, the Board of Revenue hereby declares the Villages mentioned in the schedule below as areas affected by drought for the purpose of the said rule.

SCHEDULE

District	*Taluk*	*Village*
I. Trivandrum	Nedumangad	Nedumangad Vembayam Manickal Nellanad. Vamanapuram Palode Veeranakavu Mannoorkara

	District	Taluk	Village
I.	Trivandrum	Nedumangad	Karakulam
			Vellanad
			Aryanadu
			Perumkulam.
			Tholikode
			Pullanpara
			Uzhamalakkal
			Anad
			Panavoor
			Peringommala
			Vithura
			Kallara
		Chirayinkil	Kadakkavoor
			Vettoor-Cherunniyur
			Varkala
			Edava
			Ayiroor
			Pallikkal
			Vellalloor
			Karavaram
			Nagaroor
			Manamboor
			Edakkadu
			Koduvazhannoor
			Navaikulam
			Attingal -Avanavan-cherry
			Azhoor
			Pazhayakunnummel
			Kilimanoor
			Madavoor
			Pulimath
			Sarkara-Chirayinkil
			Chemmaruthi
			Alamcode.
			Elamba-Mundakkal
			Keezhattingal
			Kizhuvalam-Koonthal-loor
			Ottoor
II.	Quilon	Karunagappally	Thekkumbhagom
			Chavara
			Ponmana

District	Taluk	Village
II. Quilon	Karunagappally	Thevalakkara
		Mynagappally
		Karunagappally
		Thodiyoor
		Kulasekharapuram
		Thazhava
		Krishnapuram
		Perunad
	Quilon	Paravoor
		Poothakulam
		Meenad
		Kalluvathukal
		Adichanalloor
		Nedumpana
		Thrikkovilvattom
		Eravipuram
		Mayyanad
		Vadakkevila
		Quilon
		Thrikkadavoor
		Thrikkaruva
		Kilikolloor
		Kottamkara
		Mulavana
		Perinad
		East Kallada
		Munroe Island
	Kunnathur	Soornad North
		Soornad South
		West Kallada
		Sasthamcotta
		Poruvazhy
		Kadampanad
		Kunnathur
		Pallickal
		Peringanadu
		Adoor
		Enathu
		Ezhamkulam
		Enadimangalam
		Koodal
		Kodumon
		Angadickal

District	*Taluk*	*Village*
II. Quilon	Kottarakkara	Kareepra
		Ezhukone
		Neduvathoor
		Pavithreswaram
		Kulakkada
		Mylam
		Kottarakkara
		Melila
		Vettikkavala
		Ummannoor
		Veliyam
		Pooyapally
		Velinalloor
		Elamadu
		Kadakkal
		Ittiva
		Chithara
		Chadayamangalam
III. Cannanore	Kasaragod	Bandadka
		Bedadka
		Kolathur
		Kuttikole
		Enmakaje
		Padre
		Maire
		Kayyar
		Bayar
		Paivalike
		Kadambar
		Meenja
		Vorkady
		Kodlamogru
	Hosdrug	Udma
		Pallikkara
		Chittari
		Ajanur
		Hosdrug
		Kanhangad
		Neeleswar
		Cheruvathur
		Padna
		Pilicode
		North Trikarpur
		South Trikarpur

District	Taluk	Village
III. Cannanore	Taliparamba	Taliparamba
		Pariyaram
		Andur
		Mohazha
		Kuttiyeri
		Kurumathur
		Irikkur
		Mayyil
		Kuttiattoor
		Malappatam
		Alapandamba
		Peringome
	Cannanore	Panapuzha
		Kadannappalli
		Ezhome
		Cheruthazhom
		Madai
		Cherukunnu
		Kannupuram
		Pappinisseri
		Kalliasseri
		Mattool
		Kunhimangalam
		Narath
		Kannadiparamba
	Tellicherry	Kappad
		Manathana
		Velloorvelli
		Thriprangathur
		Aralam
		Koodali
		Keezhallur
		Paduvilayi
		Mangattidam
		Sivapuram
		Kolari
		Thillankeri
IV. Ernakulam	Muvattupuzha	Valakom
		Mulavoor
	Kunnathunad	Assamannoor
		Vengoor East
		Vengoor West

District	Taluk	Village
IV. Ernakulam	Kunnathunad	Perumbavoor
		Rayamangalam
		Mazhuvannoor
		Vengola
		Kunnathunad
		Aikaranadu North
		Aikaranadu South
		Kizhakkambalam
		Vazhakulam Sirkar
		Cheranalloor
	Kothamangalam	Pindimana
		Eramallur
		Kothamangalam
		Keerambara
	Alwaye	Alwaye
V. Trichur	Mukundapuram	K. Chalakudy
		P. Chalakudy
		Meloor
		Kizhakkummury
		Kallur Vadakkummuri
		Kallur Thekkummuri
		Kodakara
		Mattathur
		Alur
		Alathur
		Kodupassery
		Kodassery
		Kottanelloor
		Puthenchira
		Kallur

(By order),

P. RAJAGOPALAN,
Secretary.

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SECRETARIAT OF THE KERALA LEGISLATURE

NOTIFICATION

No. 2283|LA4|83. *Dated, Trivandrum, 21st February,* 1983.

The Kerala Police (Amendment) Bill, 1983 together with the Statement of Objects and Reasons and the Financial Memorandum is published, under Rule 69 of the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly.

DR. R. PRASANNAN,

Secretary.

Legislative Assembly.

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33/603/MC

Seventh Kerala Legislative Assembly

BILL No. 10

THE KERALA POLICE (AMENDMENT) BILL, 1983

A

BILL

further to amend the Kerala Police Act, 1960.

Preamble.—WHEREAS it is expedient further to amend the Kerala Police Act, 1960, for the purpose hereinafter appearing;

BE it enacted in the Thirty-fourth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Kerala Police (Amendment) Act, 1983.

(2) It shall come into force at once.

2. *Insertion of new section* 23A.—After section 23 of the Kerala Police Act, 1960 (5 of 1961), the following section shall be inserted, namely:—

"23A. *Power to direct removal of persons in special cases.*—(1) Whenever the Superintendent of Police is satisfied from information received or otherwise—

(a) that the movements or acts of any person in the area within his jurisdiction are causing or are calculated to cause alarm, danger or harm to person or property, or that there are reasonable grounds for believing that such person is engaged or is about to be engaged in the commission of an offence involving force or violence or an offence punishable under Chapter XII or Chapter XVI or Chapter XVII of the Indian Penal Code, or in the abetment of any such offence; and

(b) that witnesses are not willing to come forward to give evidence in public against such person by reason of apprehension on their part as regards the safety of their person or property, the Superintendent of Police may, by an order in writing signed by him, direct such person so to conduct himself as shall seem necessary to the Superintendent of Police to prevent such alarm, danger or harm or the commission of such offence, or require such person to remove himself outside such area within such time as may be specified in the order.

(2) (a). Before an order is passed against any person under sub-section (1), the Superintendent of Police shall inform such person in writing of the general nature of the material allegations against him and give him a reasonable opportunity of explaining those allegations.

(b) The Superintendent of Police may also examine any witnesses produced by such person.

(c) Any written statement made by such person shall be filed with the record.

(3) A person against whom an order is proposed to be passed under sub-section (1) shall be entitled to appear before the Superintendent of Police by an Advocate or attorney for the purpose of explaining the allegations against him and examining the witnesses produced by him.

(4) The Superintendent of Police may, for the purpose of securing the attendance of any person against whom an order is proposed to be made under sub-section (1), exercise all or any of the powers of a court under sections 70 to 72 of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974).

(5) (a) Any person aggrieved by an order of the Superintendent of Police under sub-section (1) may, within thirty days from the date of such order, appeal to the Government who may, after considering all the circumstances of the case, confirm, vary or rescind the order.

(b) Where an appeal is preferred to the Government under clause (a) they may at their discretion and subject to such conditions, if any, as they may think fit to impose, stay the operation of the order of the Superintendent of Police, pending the passing of final orders on the appeal.

(6) No order passed by the Superintendent of Police under sub-section (1) or by the Government under sub-section (5) shall be called in question in any court except on one or more of the following grounds, namely:—

(a) that the procedure laid down in this section was not followed;

(b) that there was no material upon which the order could have been based; or

(c) that there was no sufficient ground for believing that witnesses were not willing to come forward to give evidence in public against the person in respect of whom the order was made.

(7) Any person who is guilty of the breach of any direction given to him under sub-section (1) or sub-section (5) shall be punishable with imprisonment for a term which may extend to two years, or with fine, or with both.

(8) If any person directed under sub-section (1) or sub-section (5) to remove himself outside any area fails or refuses to do so or re-enters such area while such direction is in force, the Superintendent of Police may, in lieu of or in addition to prosecuting such person under sub-section (7), cause him to be arrested and removed in police custody to such place outside the area within his jurisdiction, as he may direct.

(9) Nothing in this section shall be deemed to require any police officer to disclose to the person against whom an order is made under sub-section (1) or to any court the sources of his information or any fact the communication of which might, in the opinion of the Superintendent of Police, lead to the disclosure of the identity or name of any informant.".

STATEMENT OF OBJECTS AND REASONS

The existing provisions in the Kerala Police Act, 1960 (5 of 1961), are found inadequate to meet the problems arising out of communal disturbances, strikes in essential services etc. One of the problems which the Police force has to tackle during communal disturbances is the activity of anti-social elements. If the Police is empowered to extern them from the disturbed areas, violence and destruction can be avoided to a considerable extent. Therefore, it is proposed to include a provision in the said Act enabling the Superintendents of Police to extern person in special cases from the disturbed areas.

2. The Bill seeks to amend the Kerala Police Act for the above purpose.

FINANCIAL MEMORANDUM

The Bill, if enacted and brought into operation, would not involve any expenditure from the Consolidated Fund of the State.

VAYALAR RAVI